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## PATENT COOPERATION TREATY

# **PCT**

# DECLARATION OF NON-ESTABLISHMENT OF INTERNATIONAL SEARCH REPORT

(PCT Article 17(2)(a), Rules 13ter.1(c) and Rule 39)

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DKG et al.			
This International Searching Authority h	ereby declares, according to Ar lication for the reasons indicate	ticle 17(2)(a), that ed below	t no international search report will
1. The subject matter of the interr	national application relates to:		
a. scientific theories.			
b. mathematical theories			
c. plant varieties.			
d. animal varieties.			
a Coseptially biological proce	esses for the production of plant	ts and animals, ot	her than microbiological processes
and the products of such p	10000000.		
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	he human body by surgery or th	nerapy.	
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I. mere presentations of info	ormation.	A. Abasia in not a	equipped to search prior art.
m. computer programs for w	nich this International Searching	Authority is not t	equipped to coulon provide
The same of the sa	en of the international applicable	on to comply with	prescribed requirements prevents a
2. X  The failure of the following parts of the international application to comply with prescribed requirements prever meaningful search from being carried out:			
the description	X the claims		the drawings
3. The failure of the nucleotide a	and/or amino acid sequence list events a meaningful search from	ing to comply with m being carried o	n the standard provided for in Annex C of the ut:
Administrative instructions pr	has not been furnished or does	not comply with t	he standard.
the computer re	adable form has not been furnis	hed or does not o	comply with the standard.
<u> </u>	see further information s		
4. Further comments:	Sec interest information a		
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Name and mailing address of the Intern	national Searching Authority	Authorized office	er
Name and mailing address of the International Searching Authority  European Patent Office, P.B. 5818 Patentlaan 2		Roger Thomas	
NL-2280 HV Rijswijk Tel. (+31-70) 340-2040, T. Fax: (+31-70) 340-3016			

#### FURTHER INFORMATION CONTINUED FROM PCT/ISA/ 203

The claims relate to subject matter for which no search is required according to Rule 39 PCT. Given that the claims are formulated in terms of such subject matter or merely specify commonplace features relating to its technological implementation, the search examiner could not establish any technical problem which might potentially have required an inventive step to overcome. Hence it was not possible to carry out a meaningful search into the state of the art (Art. 17(2)(a)(i) and (ii) PCT).

The applicant's attention is drawn to the fact that claims relating to inventions in respect of which no international search report has been established need not be the subject of an international preliminary examination (Rule 66.1(e) PCT). The applicant is advised that the EPO policy when acting as an International Preliminary Examining Authority is normally not to carry out a preliminary examination on matter which has not been searched. This is the case irrespective of whether or not the claims are amended following receipt of the search report or during any Chapter II procedure. If the application proceeds into the regional phase before the EPO, the applicant is reminded that a search may be carried out during examination before the EPO (see EPO Guideline C-VI, 8.5), should the problems which led to the Article 17(2) declaration be overcome.

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